

REMARKS

Claims 1-6, 8-19 and 21-38 were cancelled without prejudice. New claim 39 is pending in the application. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker, et al. (U.S. Patent No. 6,345,090) in view of Golden et al., (U.S. Patent No. 6,052,447).

Rejection under 35 U.S.C. 103(a)

The Office Action asserts that Walker's mention of a historical database on prior customer transactions teaches receiving information about prior use from the users/buyers. However, Walker's disclosure is about maintaining a database of current customers and their transactions with the service provider. Walker does not disclose, teach, or suggest "receiving information from the buyer regarding prior use of telecommunication services of the buyer." Walker does not disclose obtaining prior use data from a potential purchaser of services. Walker discloses storing transactions that a pre-existing customer has entered into with the service provider. Even if such transaction data could be considered prior use data, there is no need to obtain such prior transaction data from the customer, as the entity already knows what transactions it has entered into with the existing customer. The need to receive such prior use information only makes sense if the information is being used to consider offering services to a new customer.

Although the Office Action admits that Walker does not disclose, teach, or suggest "generating an offer to provide the at least one telecommunication service to the buyer in response to receiving the request and the information," it asserts that Golden teaches the use of prior use information in awarding configuring and discounts. However, in the cited 70 lines of Golden and in Golden generally, there is no teaching of "generating an offer to provide [a] telecommunications service." Like Walker, Golden uses information the entity providing services has (and not information received from a buyer) in order to identify particular patterns of usage to determine whether a discount is applicable. Like Walker, Golden uses information regarding its existing customers. Neither Walker nor Golden collects information from a potential purchaser to determine whether or not to generate an offer to provide

telecommunications services. Further, neither reference teaches generating an offer to provide telecommunications services in response to information regarding the potential purchaser's prior use of telecommunications services.

Although firmly believes that neither the teachings of Walker nor Golden teach the use of information regarding a potential purchaser's prior use of telecommunications services to generate an offer to provide telecommunications services, Applicants have further amended Claim 1 to further distinguish Walker and Golden. The amendment clarifies that the prior use information is received from the potential purchaser of telecommunications services, and is not merely information that a provider itself has generated based on past dealings with a particular entity. Obviously, such information may be received from the potential purchaser directly or indirectly, through a variety of channels, devices, or connections. The important aspect is that a potential purchaser is affirmatively communicating information in order to generate the best possible offers suitable for the potential purchaser's use of telecommunications services.

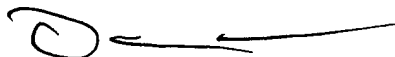
CONCLUSION

For the foregoing reasons, and for other apparent reasons, Applicants respectfully request reconsideration and favorable action. If the Examiner feels a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Applicants believe that no fees other than the fees submitted herewith are due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-2816 of Patton Boggs, L.L.P.

Respectfully submitted,

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